

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**14 MISC 0026**

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 IN RE *EX PARTE* APPLICATION OF HAMER :  
 INVESTING LTD. AND ALUMINA & BAUXITE :  
 COMPANY LTD. FOR AN ORDER TO OBTAIN :  
 DISCOVERY FOR USE IN A FOREIGN :  
 PROCEEDING :  
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Misc. Action No. \_\_\_\_\_

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>1/31/2014</u>
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**[PROPOSED] ORDER**

Upon consideration of the *Ex Parte* Application of Hamer Investing Ltd. and Alumina & Bauxite Company Ltd. ("Applicants") for an order pursuant to 28 U.S.C. § 1782(a) allowing Applicants to conduct discovery for use in foreign legal proceedings, and the accompanying Memorandum of Law, the Declarations of Colin J. Garry, Marc S. Palay, Robert S. Christie, and Matthew Richardson, and the documents attached thereto in support of the Application,

IT IS HEREBY ORDERED that:

1. The Application is granted;
2. Applicants are authorized to take discovery relating to issues identified in the Application and the supporting Memorandum of Law in accordance with the Federal Rules of Civil Procedure and the Rules of this Court, ~~including~~ by: (i) serving on Citibank N.A., Deutsche Bank Trust Company Americas and Commerzbank US (collectively, the "Banks") the subpoenas for production of documents attached to the Declaration of Colin J. Garry as Exhibits A, B; & C, and (ii) serving ~~additional subpoenas on the Banks for the production of documents and/or depositions as Applicants reasonably determine to be appropriate;~~ *notice of these subpoenas on the account holders.*

3. This Court shall retain such jurisdiction as is necessary to enforce the terms of any subpoenas authorized under this Order.

*SO ordered*
*1/30/14*  
*[Signature]*  
*U.S.D.S.*